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## Notice of Allowability

Application No.	Applicant(s)
09/782,604	GOSWAMI ET AL.
Examiner	Art Unit
Sally A Sakelaris	1634

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The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.				
1. This communication is responsive to 6/1/2004.				
2. The allowed claim(s) is/are 76 and 108.				
3. The drawings filed on 19 July 2002 are accepted by the Ex	aminer.			
<ul> <li>4. Acknowledgment is made of a claim for foreign priority unal All b) Some* c) None of the:</li> <li>1. Certified copies of the priority documents have</li> <li>2. Certified copies of the priority documents have</li> <li>3. Copies of the certified copies of the priority documents have</li> <li>International Bureau (PCT Rule 17.2(a)).</li> <li>* Certified copies not received:</li> </ul>	been received. been received in Application No		tion from the	
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	of this communication to file a reply of ENT of this application.	complying with the rec	quirements	
5. A SUBSTITUTE OATH OR DECLARATION must be submi	itted. Note the attached EXAMINER' es reason(s) why the oath or declarat	S AMENDMENT or N	OTICE OF	
<ul> <li>6. ☐ CORRECTED DRAWINGS (as "replacement sheets") mus</li> <li>(a) ☐ including changes required by the Notice of Draftspers</li> <li>1) ☐ hereto or 2) ☐ to Paper No./Mail Date</li> <li>(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date</li> </ul>	on's Patent Drawing Review ( PTO-9			
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).				
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.				
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Attachment(s)				
1. Notice of References Cited (PTO-892)	5. Notice of Informal Pa	atent Application (PTC	)-152)	
2.   Notice of Draftperson's Patent Drawing Review (PTO-948)	6. Interview Summary	(PTO-413),	,	
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08 Paper No./Mail Date	Paper No./Mail Date  7. Examiner's Amendment/Comment			
4. ☐ Examiner's Comment Regarding Requirement for Deposit	¹ 8. ⊠ Examiner's Statemei	nt of Reasons for Allo	wance	
of Biological Material	9.  Other			
		JEFFREY FRE PRIMARY EXA	DMAN MINER	

U.S. Patent and Trademark Office PTOL-37 (Rev. 1-04) Application/Control Number: 09/782,604

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## THE FOLLOWING IS AN EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE:

The present invention is found to be allowable subject matter as its presentation of SEQ ID NO: 44 from the D-Loop gene region of myctophid fish and the method for developing probes therefrom represents a contribution over the prior art that lacks any such SEQ ID NO:44 or method of developing probes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sally A Sakelaris whose telephone number is 571-272-0748. The examiner can normally be reached on M-Fri, 9-6:30 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Benzion can be reached on 571-272-0782. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 17, 2004

Sally Sakelaris

JEFFREY FREDMAN PRIMARY EXAMINER